

Notice of Allowability

Application No.

09/877,414

Examiner

Jeffrey C. Pwu

Applicant(s)

BUUS ET AL.

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/1/06 Amendment & 8/15/06 Interview.
2. ☒ The allowed claim(s) is/are 1 and 3-47.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 08/21/06
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


JEFFREY PWU
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Julia Thomas on 52,283.

2. Claim 2 has been canceled.

3. Claims 1, 28, 35, 37, 43-47 have been amended as follow:

1. A system for monitoring business performance indicators in a networked environment, comprising:

a data source having a predefined format;

an agent communicatively coupled to the data source, wherein the agent is configured according to the data source format and wherein the agent is operative to gather data from the data source and translate the data into a modified data;

a reaper communicatively coupled to the agent and configured to retrieve the modified data from the agent;

a data repository communicatively coupled to the reaper and configured to store the modified data;

Art Unit: 2143

an alert detector communicatively coupled to the data repository and configured to compare the modified data with a first configuration parameter; and

a dashboard controller communicatively coupled to the data repository and configured to display the modified data in a format defined by a second configuration parameter[.];

wherein an agent polling configuration file communicatively coupled to the reaper and configured to store a data polling schedule and provide the data polling schedule to the reaper.

28. A system for monitoring business performance indicators in a networked environment, comprising:

a data source having a predefined format;

an agent communicatively coupled to the data source, wherein the agent is configured according to the data source format and wherein the agent is operative to gather data from the data source and translate the data into a modified data;

a reaper communicatively coupled to the agent and configured to retrieve the modified data from the agent;

a repository manager communicatively coupled to the reaper;

a data repository communicatively coupled to the repository manger;

an alert detector communicatively coupled to the repository manager; and

a dashboard controller communicatively coupled to the repository manager[.];

wherein an agent polling configuration file communicatively coupled to the reaper and configured to store a data polling schedule and provide the data polling schedule to the reaper.

35. A system for monitoring a plurality of business metrics in a networked environment, comprising:

Art Unit: 2143

a plurality of data sources, wherein each of the plurality of data sources has a predefined format;

a plurality of agents, wherein each of the plurality of agents is communicatively coupled to one of the plurality of data sources, wherein each of the plurality of agents is configured according to the predefined format of the corresponding data source, and wherein each of the plurality of agents is operative to gather data from the corresponding data source and translate the data into a first modified format thereby creating modified data; ~~and~~

a reaper communicatively coupled to each of the plurality of agents and configured to retrieve the modified data from each of the plurality of agents[.];

wherein the agents polling configuration file communicatively coupled to the reaper and configured to store a data polling schedule and provide the data polling schedule to the reaper.

37. A method for monitoring a business metric in a networked environment, comprising:

coupling to a data source having a known format, wherein the data source includes data that represents the business metric;

configuring an agent according to the data source format;

gathering the data from the data source via the agent;

translating the data into a modified format;

storing the modified data in a data repository;

a reaper communicatively coupled to the agent and configured to retrieve the modified data from the agent;

comparing the modified data with an alert parameter range;

displaying the modified data in a format defined by a second configuration parameter;

determining whether the modified data falls within the alert parameter range; ~~and~~

producing an alert if the modified data falls within the alert parameter range[.]; and

Art Unit: 2143

wherein the agent polling configuration file communicatively coupled to the reaper and configured to store a data polling schedule and provide the data polling schedule to the reaper.

43. A computer-readable storage medium having computer-executable instructions for performing a method of:

coupling to a data source having a known format, wherein the data source includes data that represents the business metric;

configuring an agent according to the data source format;

gathering the data from the data source via the agent;

translating the data into a modified format;

storing the modified data in a data repository;

comparing the modified data with an alert parameter range;

displaying the modified data in a format defined by a second configuration parameter;

a reaper communicatively coupled to the agent and configured to retrieve the modified data from the agent;

determining whether the modified data falls within the alert parameter range; ~~and~~
producing an alert if the modified data falls within the alert parameter range[.]; and

wherein the agent polling configuration file communicatively coupled to the reaper and configured to store a data polling schedule and provide the data polling schedule to the reaper

44. A method for monitoring a business metric in a networked environment, comprising:

means for coupling to a data source having a known format, wherein the data source includes data that represents the business metric;

means for configuring an agent according to the data source format;

means for a reaper gathering the data from the data source via the agent;

means for translating the data into a first modified format;

Art Unit: 2143

means for storing the modified data in a data repository;
means for comparing the modified data with an alert parameter range;
means for displaying the modified data in a format defined by a second configuration parameter;
means for determining whether the modified data falls within the alert parameter range;
and
means for producing an alert if the modified data falls within the alert parameter range[.]
; and

means for polling configuration file communicatively coupled to the reaper and configured to store a data polling schedule and provide the data polling schedule to the reaper.

45. A system for monitoring a business metric in a networked environment, comprising:
a processor;
a data storage device;
an instruction set residing on the data storage device, wherein the instruction set is configured to perform a method, the method comprising coupling to a data source having a known format, wherein the data source includes data that represents the business metric;
configuring an agent according to the data source format;
gathering the data from the data source via the agent;
translating the data into a first modified format;
storing the modified data in a data repository;
comparing the modified data with an alert parameter range;
a reaper communicatively coupled to the agent and configured to retrieve the modified data from the agent;
displaying the modified data in a format defined by a second configuration parameter;
determining whether the modified data falls within the alert parameter range; and
producing an alert if the modified data falls within the alert parameter range[.]; and

Art Unit: 2143

wherein the agent polling configuration file communicatively coupled to the reaper and configured to store a data polling schedule and provide the data polling schedule to the reaper.

46. A system for monitoring business performance indicators in a networked environment, comprising:

a data source having a predefined format;

a reaper communicatively coupled to the data source, wherein the reaper is configured according to the data source format and wherein the reaper is operative to gather data from the data source and translate the data into a first modified format thereby creating modified data;

a controller communicatively coupled to the collector and configured to retrieve the modified data from the collector;

a storage device communicatively coupled to the controller and configured to store the modified data;

an alert detector communicatively coupled to the storage device and configured to compare the modified data with a first configuration parameter; and

a display interface communicatively coupled to the storage device and configured to display the modified data in a visual dashboard format defined by a second configuration parameter [.]; and

wherein the agent polling configuration file communicatively coupled to the reaper and configured to store a data polling schedule and provide the data polling schedule to the reaper.

47. A system for monitoring business performance indicators in a network environment, comprising:

a reaper adapted to communicatively coupled to a data source having a predetermined format, wherein the reaper is configured according to the data source format and wherein the reaper is operative to gather data from the data source and translate the data into a modified data;

a data manager communicatively coupled to the reaper and configured to manage the input and output of the modified data between the reaper and a data storage device, wherein the data manager is adapted to communicatively couple with an alert device; and

Art Unit: 2143

a display interface communicatively coupled to the data manager and configured to display the modified data in a format defined by a second configuration parameter[.]; and

wherein the data manager polling configuration file communicatively coupled to the reaper and configured to store a data polling schedule and provide the data polling schedule to the reaper.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey C. Pwu whose telephone number is 571-272-6798. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



8/17/06

JEFFREY PWU
PRIMARY EXAMINER